

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

LATOSHA DEWAUN MATHIS,

DEBTOR

CHAPTER 13

CASE No. 20-70035-JWC

NOTICE OF HEARING

PLEASE TAKE NOTICE that Latosha Dewaun Mathis has filed a Motion to Retain Retirement Funds and related papers with the Court seeking an Order granting the Motion.

PLEASE TAKE FURTHER NOTICE that the Court will hold an initial telephonic hearing for announcements on the Motion **at the following toll-free number 833-568-8864; meeting id 160 459 5648 in Courtroom 1203, Russell Federal Building, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303 at 10:20 AM on June 28, 2022.**

Matters that need to be heard further by the Court may be heard by telephone, by video conference, or in person, either on the date set forth above or on some other day, all as determined by the Court in connection with this initial telephonic hearing. Please review the "Hearing Information" tab on the judge's webpage, which can be found under the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the webpage for this Court, www.ganb.uscourts.gov for more information.

Your rights may be affected by the Court's ruling on the Motion. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the Court to grant the relief sought in the Motion or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the Motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U.S. Bankruptcy Court, 75 Ted Turner Dr. SW, Atlanta, Georgia 30303.

This June 3, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

LATOSHA DEWAUN MATHIS,

DEBTOR

CHAPTER 13

CASE No. 20-70035-JWC

MOTION TO RETAIN RETIREMENT FUNDS

COMES NOW Debtor, Latosha Dewaun Mathis, by and through counsel, and respectfully files this Motion and shows the Court as follows:

1.

Debtor filed for relief under Chapter 7 of the U.S. Bankruptcy Code on September 21, 2020. Debtor converted to Chapter 13 on March 25, 2021 in order to prevent the liquidation of her residence. The Plan was confirmed August 26, 2021.

2.

Debtor has fallen several months behind on her mortgage prompting U.S. Bank Trust National Association to file a Motion for Relief from Stay (Doc. No. 54) which is currently set for hearing June 7, 2022.

3.

Additionally, Debtor has fallen two months behind on her payments to the Chapter 13 Trustee prompting the Trustee to file a Motion to Convert (Doc No. 55) which is also currently set for hearing June 7, 2022.

4.

Debtor has \$64,189.85 in a Kaiser Annuity TSA 3 retirement account. The retirement plan administrator is willing to release funds to Debtor provided an order is provided stating that the funds are necessary to safeguard her property.

5.

Debtor desires to retain sufficient funds from the retirement account to pay off the remaining balance of her chapter 13 plan and satisfy the delinquency to her mortgage company.

6.

The current unaudited payoff on Debtor's chapter 13 plan is \$45,922.77 and the amount necessary to cure the mortgage default is \$3,500.01.

6.

Debtor's retention of the retirement funds is necessary to safeguard her property and livelihood because failure to resolve the aforementioned issues will result in liquidation or foreclosure of her residence. Debtor believes retention of the retirement funds is in the best interest of the estate as it will result in a distribution to unsecured creditors of \$12,798.38 more than if she were to continue in her plan.

WHEREFORE, Debtor respectfully requests:

1. That this Motion be granted;
2. That Debtor be entitled to withdraw \$49,422.78 from her retirement account to be remitted to the Chapter 13 Trustee and her mortgage company to resolve the delinquency;
3. For such other relief as this Court deems necessary and proper.

This June 3, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884
342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
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IN RE:

LATOSHA DEWAUN MATHIS,

DEBTOR

CHAPTER 13
CASE NO. 20-70035-JWC

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and exact copy of the foregoing “Notice” and “Motion to Retain Retirement Funds” to the following:

Nancy J. Whaley, Chapter 13 Trustee *Electronically*

Latosha Dewaun Mathis
2623 Memory Lane
Douglasville, GA 30135

All Creditors Reflected On
The Attached Mailing Matrix

by electronic service upon filing with the Court or by placing a copy of same in a properly addressed envelope with sufficient postage affixed thereon to insure delivery and depositing same in the United States Mail.

Dated: June 3, 2022

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

Label Matrix for local noticing
113E-1
Case 20-70035-jwc
Northern District of Georgia
Atlanta
Fri Jun 3 10:37:42 EDT 2022

Amex
Correspondence/Bankruptcy
Po Box 981540
El Paso, TX 79998-1540

Amex/Bankruptcy
Correspondence/Bankruptcy
Po Box 981540
El Paso, TX 79998-1540

Julie M. Anania
Nancy J. Whaley
Standing Chapter 13 Trustee
Suite 120
303 Peachtree Center Avenue
Atlanta, GA 30303-1286

Barclays Bank Delaware
P.O. Box 8803
Wilmington, DE 19899-8803

CREDIT FIRST NA
PO BOX 818011
CLEVELAND, OH 44181-8011

Capital One
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

Capital One
Po Box 30281
Salt Lake City, UT 84130-0281

Capital One Bank (USA), N.A.
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

Citibank, N.A.
5800 S Corporate Pl
Sioux Falls, SD 57108-5027

Citibank/The Home Depot
Citicorp Credit Svcs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179-0034

Comenity Bank/Lane Bryant
Attn: Bankruptcy
Po Box 182125
Columbus, OH 43218-2125

Credit First National Association
Attn: Bankruptcy
Po Box 81315
Cleveland, OH 44181-0315

Credit One Bank
Attn: Bankruptcy Department
Po Box 98873
Las Vegas, NV 89193-8873

Department Stores National Bank
c/o Quantum3 Group LLC
PO Box 657
Kirkland, WA 98083-0657

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

R. Jeffrey Field
Jeffrey Field & Associates
342 North Clarendon Avenue
Scottsdale, GA 30079-1320

(p)FIRST NATIONAL BANK
ATTN BANKRUPTCY
1500 S HIGHLINE AVE
SIOUX FALLS SD 57110-1003

Fnb Omaha
Attn: Bankruptcy
Po Box 2490
Omaha, NE 68103-2490

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

Goldman Sachs Bank, USA
by AIS InfoSource, LP as Agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

Harrison Mill Homeowners Assoc
c/o Faron Smith
4160 Jackie Dr.
Douglasville GA 30135-4454

Gregory Hays
Hays Financial Consulting LLC
2964 Peachtree Road NW
Suite 555
Atlanta, GA 30305-4909

Hsbc Bank
Attn: Bankruptcy
Po Box 2013
Buffalo, NY 14240-2013

IRS Insolvency Unit
401 W. Peachtree St., NW
Room 400, Stop 334-D
Atlanta, GA 30308

Kohls/Capital One
Attn: Credit Administrator
Po Box 3043
Milwaukee, WI 53201-3043

Marcus by Goldman Sachs
Attn: Bankruptcy
Po Box 45400
Salt Lake City, UT 84145-0400

Latosha Dewaun Mathis
2623 Memory Lane
Douglasville, GA 30135-4453

Medical Data Systems (MDS)
Attn: Bankruptcy Dept
2001 9th Ave Ste 312
Vero Beach, FL 32960-6413

Nordstrom FSB Attn: Bankruptcy Po Box 6555 Englewood, CO 80155-6555	Office of the United States Trustee 362 Richard Russell Building 75 Ted Turner Drive, SW Atlanta, GA 30303-3315	PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021
PYOD, LLC Resurgent Capital Services PO Box 19008 Greenville, SC 29602-9008	Quantum3 Group LLC as agent for Comenity Bank PO Box 788 Kirkland, WA 98083-0788	Marc E. Ripps Marc E. Ripps, Esq. P O Box 923533 Norcross, GA 30010-3533
(p) SN SERVICING CORPORATION 323 FIFTH ST EUREKA CA 95501-0305	Christopher J. Sleeper Jeff Field & Associates 342 North Clarendon Avenue Scottsdale, GA 30079-1320	Syncb/PPC Attn: Bankruptcy Po Box 965060 Orlando, FL 32896-5060
Syncb/Pandora Attn: Bankruptcy Po Box 965060 Orlando, FL 32896-5060	Synchrony Bank c/o PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021	Synchrony Bank Attn: Bankruptcy Dept Po Box 965060 Orlando, FL 32896-5060
Synchrony Bank/ JC Penneys Attn: Bankruptcy Po Box 965064 Orlando, FL 32896-5064	Synchrony Bank/ Old Navy Attn: Bankruptcy Po Box 965060 Orlando, FL 32896-5060	Synchrony Bank/Amazon Attn: Bankruptcy Po Box 965060 Orlando, FL 32896-5060
Synchrony Bank/Gap Attn: Bankruptcy Dept Po Box 965060 Orlando, FL 32896-5060	Synchrony Bank/Lowes Attn: Bankruptcy Po Box 965060 Orlando, FL 32896-5060	Synchrony Bank/TJX Attn: Bankruptcy Po Box 965064 Orlando, FL 32896-5064
Target c/o Financial & Retail Svcs Mailstop BT POB 9475 Minneapolis, MN 55440-9475	U.S. Bank Trust National Association, as Trustee of the Cabana Series IV Trust c/o SN Servicing Corporation 323 Fifth Street Eureka, CA 95501-0305	United States Attorney Northern District of Georgia 75 Ted Turner Drive SW, Suite 600 Atlanta GA 30303-3309
Wells Fargo Bank NA Attn: Bankruptcy 1 Home Campus Mac X2303-01a Des Moines, IA 50328-0001	Wells Fargo Bank NA Po Box 14517 Des Moines, IA 50306-3517	Wells Fargo Bank, N.A. PO Box 10438, MAC F8235-02F Des Moines, IA 50306-0438
Wells Fargo Bank, N.A., Wells Fargo Card Ser PO Box 10438, MAC F8235-02F Des Moines, IA 50306-0438	Nancy J. Whaley Nancy J. Whaley, Standing Ch. 13 Trustee Suite 120, Truist Plaza Garden Offices 303 Peachtree Center Avenue Atlanta, GA 30303-1216	Ryan J. Williams Nancy J. Whaley Standing Chapter 13 Trustee 303 Peachtree Center Avenue Suite 120 Atlanta, GA 30303-1286

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Discover Financial
Pob 15316
Wilmington, DE 19850

First National Bank/Legacy
Attn: Bankruptcy
Po Box 5097
Sioux Falls, SD 57117

Georgia Department of Revenue
Compliance Division
1800 Century Blvd., NE, S9100
Atlanta, GA 30345

SN Servicing Corp.
323 Fifth Street
Eureka, CA 95501

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

(u)U.S. Bank Trust National Association

End of Label Matrix	
Mailable recipients	56
Bypassed recipients	2
Total	58